

**AMENDMENTS TO THE CLAIMS:**

**Please amend the claims as follows:**

1. (Currently Amended) A code division multiple access communication system in which a base station transmits data in which an individual channel ~~being~~ comprising individual user data and a common pilot channel in which all symbols that are known are mixed to a mobile station so that said mobile station ~~may use~~ uses at least one of said individual channel and said common pilot channel to thereby carry out channel estimation in order to restore a phase change in data transmitted from said base ~~station;~~ station.

wherein said mobile station ~~comprising~~ comprises:

means for judging a relative position of said mobile station; and

a first means for carrying out said channel estimation using said common pilot channel, when said mobile station is near said base station as judged by said judging means and, if said mobile station is far away from said base station as judged by said judging means, for carrying out said channel estimation using a pilot symbol of said individual channel.

2. (Currently Amended) The code division multiple access communication system according to Claim 1, further comprising a second means for comparing respective power values of post-reverse diffusion data items of said common pilot channel and said individual channel so that either one of said post-reverse diffusion data items of said common pilot channel and said individual channel that has a larger one of said power values ~~may be~~ is used to carry out said channel estimation.

3. (Original) The code division multiple access communication system according to Claim 2, further comprising:

a third means for generating common pilot data using a received signal and a common pilot channel-use reverse diffusion code;

a fourth means for generating individual channel data using said received signal and an individual channel-use reverse diffusion code; and

a fifth means for converting said common pilot data and said individual channel data into respective power values,

wherein said power values thus converted are compared with each other to thereby determine said data having either one of said power values which is larger than the other.

4. (Currently Amended) A channel estimating method for a code division multiple access communication system ~~by which~~ comprising:

transmitting, by a base station, station transmits data in which an individual channel being comprising individual user data and a common pilot channel in which all symbols that are known are mixed to a mobile ~~station so that~~ station,

using, by said mobile station, station may use at least one of said individual channel and said common pilot channel to thereby carry out channel estimation in order to restore a phase change in data transmitted from said base station,

wherein carrying out, by said mobile station, station carries out said channel estimation using said common pilot channel when said mobile station is judged to be near said base station and, if said mobile station is judged to be far away from said base station, carries carrying out said channel estimation using a pilot symbol of said individual channel.

5. (Currently Amended) The channel estimating method according to Claim 4, wherein further comprising:

comparing respective power values of post-reverse diffusion data items of said common pilot channel and said individual channel ~~are compared~~ with each other so that either one of said post-reverse diffusion data items of said common pilot channel and said individual channel that has a larger one of said power values ~~may be~~ is used to thereby carry out said channel estimation.

6. (Currently Amended) The channel estimating method according to Claim 5, further comprising the steps of:

generating common pilot data using a received signal and a common pilot channel-use reverse diffusion code;

generating individual channel data using said received signal and an individual channel-use reverse diffusion code;

converting said common pilot data and said individual channel data into respective power values; and

comparing said power values thus converted with each other to thereby determine either one of said common pilot data and said individual channel data that has a larger one of said power values.

7. (New) A code division multiple access communication system in which a base station transmits data in which an individual channel comprising individual user data and a common pilot channel in which all symbols that are known are mixed to a mobile station so that said mobile station uses at least one of said individual channel and said

common pilot channel to thereby carry out channel estimation in order to restore a phase change in data transmitted from said base station,

wherein said mobile station comprises:

a judging unit that judges a relative position of said mobile station; and

a first unit that carries out said channel estimation using said common pilot channel, when said mobile station is near said base station as judged by said judging unit and, if said mobile station is far away from said base station as judged by said judging unit, for carrying out said channel estimation using a pilot symbol of said individual channel.

8. (New) The code division multiple access communication system according to Claim 7, further comprising a second unit that compares respective power values of post-reverse diffusion data items of said common pilot channel and said individual channel so that either one of said post-reverse diffusion data items of said common pilot channel and said individual channel that has a larger one of said power values is used to carry out said channel estimation.

9. (New) The code division multiple access communication system according to Claim 8, further comprising:

a third unit that generates common pilot data using a received signal and a common pilot channel-use reverse diffusion code;

a fourth unit that generates individual channel data using said received signal and an individual channel-use reverse diffusion code; and

a fifth unit that converts said common pilot data and said individual channel data into respective power values,

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wherein said power values thus converted are compared with each other to thereby determine said data having either one of said power values which is larger than the other.